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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/674,949	09/29/2003	Jae Chul Choi	2097-3-15	5270

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EXAMINER

GARRETT, ERIKA P

ART UNIT	PAPER NUMBER
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3636

DATE MAILED: 02/09/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

10/674,949

Applicant(s)

CHOI ET AL.

Examiner

Erika Garrett

Art Unit

3636

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-9 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-9 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- 1) ☐ Certified copies of the priority documents have been received.
  - 2) ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
  - 3) ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date \_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_.

## **DETAILED ACTION**

### ***Election/Restrictions***

Applicant's election without traverse of species II figures 4-6 in the reply filed on 11/23/04 is acknowledged. However, there are currently no dependent claims readable on the separate species. The election requirement is hereby withdrawn and an action on the merits of all the claims (i.e. claims 1-9) appears below.

### ***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) The invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

(e) The invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1-6 and 9 are rejected under 35 U.S.C. 102(e) as being anticipated by Choi (6,715,430). Choi discloses the use of a sectional table with gussets comprising channel frame (20) having bottom portion provided with through hole formed thereon, a pair of side walls (4) vertically extending from both ends of the bottom portion in such a manner as to face each other to defined an insertion groove (is the space inside the 20), and a flange portions (24) horizontally extending outwardly from top ends of the pair of side walls so as to be coupled to the underside of the table top plate (10); a table leg

(40) having a predetermined length and inserted into the through hole (fig. 3) formed on the bottom portion of the channel frame; and gusset fitted into the insertion groove of the channel frame to be detachably mounted onto the pair of side walls, the gusset having an insertion recess formed on the underside thereof in a predetermined depth for inserting the top portion of the table leg. In regards to claim 2, wherein the gusset has locking protrusions formed on the outer surfaces thereof to be opposite to each other, and the channel frame has locking grooves formed on the pair of side walls of the channel frame for allowing the locking protrusions (54) to be snap-fitted thereto. In regards to claims 3&4, wherein the gusset comprises generally square frame member vertically penetrated there through; a support member (26) disposed within the frame member and having the insertion recess formed on the underside thereof; and plurality of connecting members (28) extending radially outwardly from outer periphery support member connecting the support member the frame member. In regards to claim 5, wherein the support member further comprises guide ring (30) formed on the underside thereof in such manner as to be protruded from the underside thereof, for guiding the table into the insertion recess of the support member through the through hole formed on the bottom portion of the channel frame. In regards to claim 6, wherein the support member further comprises guide ring formed on underside thereof such manner as protruded from the underside thereof, for guiding the table leg (40) into the insertion recess the support member through the through hole formed on the bottom portion of the channel frame. In regards to claim 9, wherein the insertion recess the support member comprises a plurality of protruding ribs (1,6) formed on the inner peripheral

surface thereof in upward and downward directions at regular intervals, such that movement of the table leg is prevented.

Claims 1,3 and 5 are rejected under 35 U.S.C. 102(e) as being anticipated by McAllister (5,165,349). McAllister discloses the use of a sectional table with gussets comprising channel frame (22) having bottom portion provided with through hole (30) formed thereon, a pair of side walls (24) vertically extending from both ends of the bottom portion in such a manner as to face each other to defined an insertion groove there between, and a flange portions (26) horizontally extending outwardly from top ends of the pair of side walls so as to be coupled to the underside of the table top plate (12); a table leg (20) having a predetermined length and inserted into the through hole formed on the bottom portion of the channel frame; and gusset fitted into the insertion groove of the channel frame to be detachably mounted onto the pair of side walls, the gusset having an insertion recess formed on the underside thereof in a predetermined depth for inserting the top portion of the table leg. In regards to claim 3, wherein the gusset comprises generally square frame member vertically penetrated there through; a support member (36) disposed within the frame member and having the insertion recess formed on the underside thereof; and plurality of connecting members (34) extending radially outwardly from outer periphery support member connecting the support member the frame member. In regards to claim 5, wherein the support member further comprises guide ring (fig.3) formed on the underside thereof in such manner as to be protruded from the underside thereof, for guiding the table into the insertion recess

of the support member through the through hole formed on the bottom portion of the channel frame.

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 7-8 are rejected under 35 U.S.C. 103(a) as being unpatentable over Choi in view of Camarota (4,925,140). Choi shows the use of all the claimed invention but fails to show the use of the gussets being made of plastic. Camarota teaches the use of the gussets being made of plastic. It would have been obvious to one of ordinary skill in the art at the time of invention to modify the gussets with plastic as taught by Camarota, because the plastic material is cheaper and it's a stronger material.

### ***Conclusion***

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. The following patents are cited to further show the state of the art with respect to table with gussets: U.S Pat. No. US005598791A, US005918553A, US005163373A, US006739560B1, US006086028A, US006592093B2, US005899423A, US006584918B2, 4413570, 3590753, 3636894, 4838181.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Erika Garrett whose telephone number is 703-605-0758. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

EG  
January 26, 2005

  
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